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LETTER DATED 15 AUGUST 1996 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to document S/1996/603 and Corr.1, concerning the simplification of the list of matters of which the Security Council is seized (rule 11 of the provisional rules of procedure of the Security Council). The Republic of the Sudan would like to express its concern about the above-mentioned document and particularly about the Security Council's decision mentioned therein, which leads to the automatic deletion as of 15 September 1996 of matters which have not been considered by the Council in the preceding five years.

In this context the Government of the Sudan would like to express the following:

First: The strongest possible objection of the Government of the Sudan to the deletion of item No. 8 of the annex to document S/1996/603, namely, the letter dated 20 February 1958 from the representative of the Sudan addressed to the Security Council. This item was discussed for the first time at the 812th meeting of the Council on 21 February 1958. Concerning the same issue, seven subsequent letters from the concerned parties were addressed to the Security Council and were issued as official documents (S/25041, dated 31 December 1992; S/25051, dated 3 January 1993; S/25090, dated 11 January 1993; S/25095, dated 12 January 1993; S/25127, dated 18 January 1993; S/25925, dated 25 May 1993; and S/25926, dated 3 June 1993), the last letter having been issued three years ago.

The issue is of great importance to the Sudan and is still a question of major concern. The same circumstances and reasons which prompted the Sudan to bring the subject to the attention of the Security Council in the first place still persist. Therefore the Sudan requests that this issue be retained until the question is resolved.

Second: No item should be deleted from the matters of which the Security Council is seized without prior consultations with and the consent of

the concerned country or countries. Moreover, Members of the United Nations should be consulted prior to the establishment of any criterion by the Council on which such important decisions are taken. It is politically inadvisable to eliminate certain selected items from the matters of which the Security Council is seized on the criterion of their not having been discussed by the Council for the preceding five years. The subjects which are usually brought to the attention of the Council are of a politically sensitive nature; therefore their deletion on the basis of a criterion unilaterally established by the Council may result in serious implications.

Third: The Security Council's decision, mentioned in paragraph 2 of document S/1996/603, is not a formal decision. It was not taken at any formal meeting of the Council. Therefore the Sudan believes that this decision has no legal standing.

Fourth: The retention of matters for only one year, if a Member of the United Nations objects before 15 September 1996 to its deletion, is another new criterion introduced in this matter without prior consultations with the Members of the United Nations. Therefore the Sudan requests that all items be retained indefinitely, if a Member of the United Nations presents its objections to the Security Council proposal for its deletion.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(Signed) Elfatih M. ERWA
Permanent Representative of the
Republic of the Sudan